

Californians for Renewable Energy, Inc. (CARE)

821 Lakeknoll Dr.
Sunnyvale CA 94089

To: EPA Office of Civil Rights
Attn: Yasmin Yorker-Title VI Team Leader
Yorker.yasmin@epamail.epa.gov
U.S. EPA
Ariel Rios Building
Office of Civil Rights
1200 Pennsylvania Ave., MC1201
Washington D.C. 20460

To: EPA Office of Environmental Justice
Attn: Barry Hill Director
hill.barry@epa.gov
U.S. EPA
Ariel Rios Building
Office of Civil Rights
1200 Pennsylvania Ave., MC2201A
Washington D.C. 20460

REF: AMENDMENT 3 TO CARE s OCR COMPLAINT OF 4-16-00 TO ALLEGE RETRIBUTION BY THE CITY OF PITTSBURG FOR REV. BILL FORREST S PARTICIPATION IN CEC EVIDENTIARY HEARING PROCESS CASE#2R-00-R9

In CARE s 4-16-00 original OCR and OEJ complaint the following allegations of discrimination were presented in regards to Rev. Bill Forrest s attempt to testify as an expert witness on Environmental Justice.

CEC discriminated against African Americans persons in the Evidentiary hearing process

The CEC discriminated against African Americans persons by deny the Rev. Bill Forrest and opportunity to act as an expert witness on Environmental Justice at its November 18, 1999 evidentiary hearing. CARE strongly objected for the record at the CEC November 18, 1999 evidentiary hearing against exclusion of Rev. Bill Forrest as a witness on Environmental Justice.

Mr. Bill Forrest presented comment indicating that he was concerned about potential disparate impact on minority communities from project-related activities. He wanted assurance that the project would not cause cancer or other ill effects. (11/18 RT 352 ET seq.) [Intervenor CRE was further denied due process by the Hearing Officer in the denial of intervenor s law full written notice of witnesses for socio-economics in intervenor s written testimony of November 12, 1999. The Hearing Officer scheduled the](#)

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hearing on socio-economics (environmental justice) for after midnight on November 18, 1999 despite being noticed as the first item on the Commission's version of the Internet agenda. The one witness of the intervenor remaining after midnight, Rev. Bill Forrest, was forced by the Hearing Officer to speak as a member of the public. Intervenor CRE additionally provided a copy of Rev. Forrest's resume in advance of the meeting (included here as attachment I). His experience as an investigator for the EEOC alone qualifies him as an expert on this matter. Intervenor CRE provides this transcript as evidentiary in the Hearing Officer's prejudice in favor of the applicant and against the petitioner (complainant) in this matter.

Apparently Mr. Bill Forrest placed not only himself, but also his congregation at risk of retaliation for his participation in the November 18, 1999 evidentiary hearing. CARE strongly objected for the record at the evidentiary hearing against exclusion of Rev. Bill Forrest as a witness on Environmental Justice. In CARE 6/19/00 Amendment 1 to CARE's OCR complaint of 4-16-00 to include the City of Pittsburg California in CASE#2R-00-R9, CARE alleged that the City of Pittsburg violated Title VI in that its illegal authorization of eminent domain (the taking of property) proceedings were cited. Complainants contend that retaliatory actions by the City of Pittsburg, against Rev. Forrest Williams and his congregation, have taken place following the November 18, 1999 evidentiary hearing on the Delta Energy Center. Further, complainants contend that the retaliatory actions in question provide evidence of the City of Pittsburg's intentional discrimination against African Americans persons through the use of illegal confiscation of property. Rev. Bill Forrest confirms this position in his letter to the U.S. Department of Housing and Urban Development (included here as attachment II) titled City of Pittsburg, Ca And Contra Costa Counties attempts to give away approximately 360 square feet of our Churches Property, to another Church group from Concord, Ca.

I believe that the City of Pittsburg, in concert with the County of Contra Costa, through its agents, are attempting to destroy our Church's facilities expansion project, in retaliation for prior complaints of racial and religious discrimination, that we have previously filed against them.

Complainants further contend that these discriminatory acts by the City of Pittsburg are also on the basis of religious affiliation. Rev. Bill Forrest confirms this position in his letter to the U.S. Department of Housing and Urban Development (included here as attachment II).

I Bill Forrest, as the pastor/agent for the Forrest Memorial Christian Center Church of God in Christ, believe that the city of Pittsburg and the County of Contra Costa, in concert, have systematically discriminated against my members and myself on the basis of my race, (African American), and my religious affiliation, (Church of God in

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Christ/Pentecostal), in that I/we have been subjected to differential treatment in our attempts to develop enterprise zoned property and attempts made to take our legally purchased property, in violation of Title VI of the Civil Rights Act of 1964, Title VIII of the Civil Rights Act of 1968, and all other applicable executive orders.

Complainants contend that this combined with other actions taken by the City of Pittsburg (as presented in amendment 1 of 6/19/00) demonstrate a pattern of discriminatory acts that are in violation of Title VI of the Civil Rights Act of 1964.



Michael E. Boyd 6-23-00
President-CARE



Joe Hawkins 6-23-00
Community Health First



Jim MacDonald-trustee 6-23-00
Pittsburg Unified School District

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Attachment I

Nov 11 09 06:14p

MacDonald/Cummings

925-473-1888

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BILL J. FORREST
4201 Heights Avenue
Pittsburg, California 94565
(925) 435-7678

PROFESSIONAL EXPERIENCE:

HEAD START AREA MANAGER - CONTRA COSTA COUNTY COMMUNITY SERVICES DEPT. DIVISION OF HEAD START Richmond, CA (3/8/98 - present)

- Effective 9/8/98, I have been assigned to manage the Bay Grantee Operated Program in the Western Section of the County, as well as coordinated all Head Start/Child Development/Dept. of Social Services collaboration and Child Start sites. I currently supervise one Family Services Manager, one Disabilities/Mental Health Manager, three Education Supervisors, one Head Start Nurse, and one Head Start Nutritionist, which are responsible for monitoring and program quality performance to ensure compliance with Federal, State and County regulatory guidelines that govern Federal and State funded child care and development programs. This section of the county's program consists of five managers, three subject matter specialists, approximately 90 staff persons, with a budget demand of approximately 3-4 million dollars. I most recently established a collaboration between Head Start and the Greater Richmond Social Services, Inc. to provide full day/full year services to low-income children in the North Richmond, Ca. area. We are currently funded to service 495 children in our Bay GOP program. We have additional quality control oversight responsibility for 184 children at our BayO Vista Head Start delegate agency.

HEAD START AREA MANAGER - CONTRA COSTA COUNTY COMMUNITY SERVICES DEPT. DIVISION OF HEAD START Concord, CA (5/1/97 - 9/7/98)

- The decision was made to combine the 3 Central County sites and the 5 East County sites into a single unit area called Delta Grantee Operated Program. This reorganization resulted in my assuming additional responsibility for a combined total of 8 sites, plus an additional 9th site coming on line, 2 managers, 3 supervisors, 55 staff members and 350 children in center-based and 70 children in the home-based program option, totaling 420 children. Additionally I have renewed responsibility for transportation to 5 sites in East County.

TRUSTEE BOARD MEMBER - PITTSBURG UNIFIED SCHOOL DISTRICT 2000 Railroad Avenue Pittsburg, CA 94505 (8/97 - 1/97)

- As a member of the Board of Directors, I served as one of five board members responsible for policy and fiscal oversight of a budget in excess of \$40,000,000, which included \$30,000,000 in School Bond funding for renovation and repairs. I participated in the restructuring of our districts administration and advised the board of civil rights performance requirements.

HEAD START AREA MANAGER - CONTRA COSTA COUNTY COMMUNITY SERVICES DEPT. DIVISION OF HEAD START Brentwood, CA (10/17/96 - 9/97)

- Manage, coordinate and schedule, monitor and evaluate the day to day operation of the county's grantee operated Head Start Program in East Contra Costa County. This consists of approximately five sites, 30 staff persons and 240 low-income families and children. I oversee the implementation of all federal, state, county and local regulatory requirements that govern the federal Head Start Program in east county. This includes the direct supervision of approximately 10 support staff and indirect supervision of approximately 20 additional staff persons.

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BUR J. Forrest

Resumes Page Two

(5/5/87 - 8/5/87)

- Special assignment to assume temporary Area Management of the Grantee Operated Program in Central Contra Costa County consisting of an approximate addition of 25 staff persons and 188 families and children.

PROGRAM MONITOR - CONTRA COSTA COUNTY COMMUNITY SERVICES DEPT.
DIVISION OF HEAD START

Concord, CA (5/83 - 10/87)

- Contributing to development/implementation of Head Start full program and limited program monitoring plan.
- On-site monitoring of federally funded Head Start Programs in Contra Costa County to ensure compliance with 45CFR 1301-1303.
- Investigate reports of non-compliance.
- Follow-up on suspected or reported violations of safety regulations and procedures.
- Report findings orally or in writing to the Head Start Program Manager.
- Write monthly monitoring reports.
- Review monthly/quarterly reports from grantee operated and delegate agency programs.

EQUAL OPPORTUNITY SPECIALIST - U.S. DEPT. OF HOUSING AND URBAN DEVELOPMENT
San Francisco, CA (10/80 - 12/81)

- Monitor Public Housing Authorities
- Monitor State, County and Local Government Community Development Block Grant recipients to determine their compliance with Civil Rights Related Performance Requirements related to Title VI of the Civil Rights Act of 1964, Title VII of the Civil Rights Act of 1968 as amended (the Federal Fair Housing Act), and Section 504 of the Rehabilitation Act.

INVESTIGATOR - U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

San Francisco, CA (8/87 - 10/89)

- Enforcement of Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act, and the Equal Pay Act.

EMPLOYMENT DEVELOPMENT SPECIALIST - U.S. NAVAL ENGINEERING COMMAND

San Bruno, CA (7/85 - 7/87)

- Coordinate the Western Division Naval Engineering Command Management Internship program, which consisted of 50 - 70 management interns and a \$1,000,000 budget.

PERSONNEL MANAGEMENT SPECIALIST (INTERIM) - WESTERN DIVISION NAVAL ENGINEERING COMMAND

San Bruno, CA (1/84 - 7/86)

- Planning, development and continued management of the WestDivNavFacEngCom (PDC) Career Intern Program
- Manage and coordinate training for interns.
- Provided statistical data to the Deputy E.E.O. Officer.
- Served as acting training officer in the absence of the training officer, \$2,000,000 training budget.
- Maintained open and constant relationships with the Dept. of Labor, Office of Workers Compensation officials to ensure expeditious processing of claims.
- Coordinated training and development for 80 management interns.

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BRI J. Forrest

-----Resume Page Three

**SUBSTITUTE TEACHER - CONTRA COSTA COUNTY SUPERINTENDENT OF SCHOOLS/
OFFICE OF EDUCATION
Pleasant Hill, CA (2/84 - 8/84)**
• Taught all subjects - grade 3 - 12

EDUCATION:

U.C. Davis Extension Program
Organization Dev. and Management: 1995 - 1997

Texas Tech Advanced Management Program
Organization Development: 1997

California State University, Hayward Ca.
Graduate Program of Public Administration: 1993 - 1994
2 year graduate school program

California State University, San Francisco, Ca.
B.A. Degree - Social Science (Interdisciplinary Program): 1977 - 1980
Minor - Employment Studies - U.S. Dept. of Labor funded

Los Medanos Junior College, Pittsburg, Ca.
Social Science concentration: 1975 - 1976

Diablo Valley Junior College, Pleasant Hill, Ca.
A.A. Degree - Liberal Arts: 1966 - 1972

U.S. Office of Personnel Management Training Center, San Francisco, Ca.
Basic Government Personnel, AVEEO

Naval Regional Personnel Command Training Center, Walnut Creek, Ca.
Basic Personnel and E.E.O.AA: 1954 - 1967

PROFESSIONAL TRAINING:

- 1987 - E.E.O.C. Investigative Conference, Dallas, Texas
- 1980 - H.U.D. Basic Civil Rights Orientation, Washington D.C.

REFERENCES:

Mr. Chris Rogerson - Regional Director U.S. E.E.O.C.
Atlanta, GA. Regional Office: (301) 662-3622 or (404) 331-6063

Mr. Jack Pemberton - Regional Attorney E.E.O.C.
San Francisco, CA

Mr. Harry Quinn - Former Navy Supervisor
Reno, Nevada: (702) 826-6097

Mrs. Marie Fox, Education Manager
Contra Costa Community Services Dept. (916) 374-7027

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Attachment II

May 15 00 08:27a

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P. 1

FORREST MEMORIAL CHRISTIAN CENTER, C.O.G.I.C., INC.

Hon. R. J. Forrest, Pastor - 1279 Railroad Lane - Pittsburg, CA 94565 - (925) 497-8978

April 24, 2000

To: Mrs. Gloria Ramirez
Regional Director of Compliance
U.S. Dept. of Housing and Urban Development
150 Golden Gate Avenue, 8th Floor
San Francisco, Ca. 94102

Re: City of Pittsburg, Ca. And Contra Costa Counties attempts to give away approximately 360 square feet of our Churches Property, to another Church group from Concord, Ca. (Pentecostals of the Bay Area)

Subj: Discrimination Complaints against the City of Pittsburg, Contra Costa County, and any and all other persons or businesses involved.

On 4-24-00, I met with a member and general contractor, for the Pentecostals of the Bay Area Church, a predominantly Hispanic and white Church group. During the meeting, I was informed by the contractor/member that his engineering drawings that allegedly, reflect the City of Pittsburg's and the Counties dimensions, in terms of lot lines, entitles the Pentecostals of the Bay Area to, a strip of our existing property. This section is approximately 1 1/2 to 2 1/2 feet wide and 181 feet deep or over 300 square feet. We, as a Church group, purchased two 50' wide lot approximately 11 years ago and had the county rezone them into 100' of frontage.

The City of Pittsburg official map recorded in 1994 describe our property as 2-50' lots by 181' deep.

My contractor, Eugene Reynolds, my former Project Manager/Engineer, Robert Body, and I, as agents for the Forrest Memorial Church of God in Christ, met with several city officials in 1999, trying to secure a building permit to build a new edifice and tear down the old facility, after completion. The primary representatives for the city were Bill Sadler and Chris Belarlis. My Project Engineer, who was formerly a PG&E Engineer, stated after the meeting that it was illegal for the City to simply take our property. Subsequently, he stated that his goal was on most PG&E plants in this area and we should not let them simply take our property. He then simply quit the plan completion work. Today, I understand better what he was talking about. He also indicated that the City of Pittsburg took a portion of our lot illegally, while developing the Railroad Avenue widening and improvement project.

I previously assisted my mother, in writing a HUD complaint against the City of Pittsburg, during the Harbor Street Widening Project, when they refused to pay her just compensation. They took the issue to superior court and we never received a copy of the decision. They attempted to pay her a 250-dollar flat fee, for the indefinite use of her property. This was as unjust as what they are attempting to do through this new Church group, who purchased the Silco Property. There is no conceivable way that the Silco Family would ever let the Forrest Family drive on 15' of their property for 11 years, let alone 15'.

I believe that the City of Pittsburg, in concert with the County of Contra Costa, through its agents, are attempting to destroy our Church's facilities expansion project, in retaliation for prior complaints of racial and religious discrimination, that we have previously filed against them.

We are a predominantly African-American/Black Pentecostal Denomination and the only African-American, Pentecostal Church of God in Christ group that owns property facing the City's main corridor, Railroad Avenue. We are in the City's Enterprise Zone and have been having an extremely difficult time getting cooperation, even when we notified the city that we had an investor prepared to lend us \$240,000.

We informed the City in 1999 that we have a \$210,000 loan pending to build the new edifice, and they proceeded to stall the project. Subsequently, we received a notice from the Contra Costa County fire protection district that we needed to install a fire hydrant at the southern most property line before building. We informed the county that our northern most property line just as in compliance and that I believed they were placing a barrier in our way to obstruct the project. They rescinded their request stating that the City of Pittsburg had required it.

At that time I had a pending employment discrimination complaint against the county and felt that their actions were retaliatory. I subsequently met with and wrote to Mr. Federal Glover, former Mayor of the City of Pittsburg, and he said he

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All of our property transactions have been recorded through title insurance companies. One of the title insurance agents bears the same last name, Sino, of the family that just sold the land and property to the Pentecostals of the Bay Area, 386 Central Avenue, Redwood City, who claims that the city and county support their title to our land.

My family has been in this community since 1956, and I am deeply offended that the city and county would attempt to deny us our constitutional rights to worship God according to the dictates of our conscience and overtly take our property.

I had a meeting with Mrs. Daly, who owned the property described as L295 Railroad Lane, Pittsburg, CA. She showed me documents that described how she was paying Southern Pacific Railroad a monthly rent because her house and building, formerly known as Buddy Flomberg, sat 2 feet over onto the Southern Pacific property. If this is the case, the Sino property and mine way correspondingly, would be two feet (2') over onto our property line.

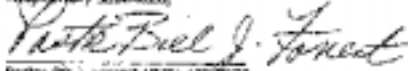
Since 1914, the city has widened the section of Central Avenue and in the 1980's widened Railroad Avenue. This I believe is where property has been siphoned off landowners' lots. Former engineer, Mr. Robert Eddy, stated that he had signed off on P.S.G. Plans and surveys in the area for 20 years and believes that the city has inadvertently taken land.

I had hoped that the city and I would put away our 20th century antipathies, in the new millennium. But it's obvious they still don't care for our way of life and I still have a keen distaste for the way they have interfered with my church and me, as a member of the human family. I am not forwarding this discrimination complaint in order to win or lose, but to make it clear that I am a citizen of this country, as well as my members. We have a God given right to life, liberty and the pursuit of happiness, as long as we do not infringe on the rights and freedoms of others. But even freedom must be fought for and occasionally refused. May God help us in this endeavor.

Everyone knows that when you measure property lines from the northern point of the Southern Pacific Railroad property line, that all of the lots maintain their same 50' dimensions except the Pentecostals of the Bay Area property. Their property was reduced whenever the city of Pittsburg widened a section of Central Avenue, sometime after recording it's map with the county in 1914, to accommodate the Squan property, formerly Saffway store, now the skating rink and the Bonanno property, formerly known as Lucky supermarket, as well as other commercial properties along this four lane segment of Central Avenue. The rest of Central Avenue throughout the Contra Costa addition is still only 2 lanes. Only the City of Pittsburg and the county know when they made this change.

I Bill J. Forrest, as the pastor/pastor for the Forest Memorial Christian Center Church of God in Christ, believe that the City of Pittsburg and the County of Contra Costa, in concert, have systematically discriminated against my members and myself on the basis of my race, (African-American), and my religious affiliation, (Church of God in Christ/Pentecostal), in that I have been subjected to differential treatment in our attempts to develop enterprise zoned property and attempts made to take our legally purchased property, in violation of Title VI of the Civil Rights Act of 1964, Title VIII of the Civil Rights Act of 1968, and all other applicable executive orders.

Respectfully submitted,



Pastor Bill J. Forrest (925) 4799078


Lois Sims, General Secretary

cc: Lon Austin - Mayor - City of Pittsburg
Patricia Caber - councilman
Frank Quesada - councilman
Frank Jello - councilman
Robert Isaac - councilman
Dorothy Wilbur Wyatt Harrison - Probate Clerk
Supt. W.D. Dwyer - Evangelist District
Fannie Lawson, president - INACCP
Phil Bacheler - County Administrator
Rev. Eugene Reynolds - Reynolds Construction
Paula Linneman - Pentecostals of the Bay Area
Richard Ralston - State Senator
George Miller, Jr. - U.S. Congressman
file

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